

June 9, 2017

Regional Freedom of Information Officer
U.S. EPA, Region 3
1650 Arch Street (3CG00)
Philadelphia, PA 19103

Re: FOIA Request for documents pertaining to groundwater and/or soil contamination associated with the Union Carbide Corporation chemical plant in Institute, Kanawha County, West Virginia and surrounding properties

To whom it may concern:

Pursuant to the Freedom of Information Act, 5 U.S.C. §552 (“FOIA”), I am requesting any and all documents and information pertaining to the following:

- 1) Any soil and/or groundwater contamination on, under, or adjacent to Union Carbide Corporation chemical plant in Institute, West Virginia (EPA ID WVD005005509) (the “Institute Plant”);
- 2) Any soil and/or groundwater contamination on, under, or adjacent to properties within a 3-mile radius of the Institute Plant including, but not limited to, property owned by West Virginia State University (“WVSU”) and/or the WVSU Board of Governors, and in particular property formerly designated the West Virginia Rehabilitation Center, which WVSU claims it owns;
- 3) Communications with WVSU officials, public officials, or other parties regarding soil and/or groundwater contamination on, under, or adjacent to property owned by WVSU or the Institute Plant;
- 4) Any supporting documents, studies, and/or distribution lists identifying the recipients of information on these matters, including but not limited to EPA’s 1984-1987 reports regarding environmental pollution in the Kanawha Valley; and
- 5) All prior requests to your agency regarding the foregoing matters and any response thereto.

In addition to Union Carbide Corporation (1947-1986; 2015-present, as a subsidiary of the Dow Chemical Company), I understand that other businesses involved at the Institute Plant include the Rhone Poulenc Company (1986-2000), Aventis Crop Sciences (2000-2002), and Bayer Crop Science (2002-2015). I also understand that beginning in the 1980s the EPA issued Resource Conservation and Recovery Act (RCRA) corrective action permits to the company to proceed with site cleanup. Since then, the facility has completed multiple RCRA Facility Investigations (RFI) and has also conducted additional studies—including emissions reports that were filed with the EPA—and other corrective measures.

As noted above, I am also interested in supporting documents, related or follow-on studies, and/or distribution lists for the EPA’s reports regarding environmental pollution in the Kanawha Valley, including but not limited to:

- *Overview of Environmental Pollution in the Kanawha Valley* (August 1984, revised April 1986)
- *Kanawha Valley: Toxics Screening Study Final Report* (July 1987)

I would prefer to accept the requested records via the most expeditious means—be that paper or electronic copy. History Associates agrees to pay all reasonable and standard processing fees authorized by 5 U.S.C. §552(a)(4)(A) and the applicable regulations up to \$250. Should the fees exceed this amount, please contact me with an estimate of the total costs and the volume of responsive material in order that specific expenditures beyond \$250 can be authorized. Or, should documents responsive to my request be made accessible, I am available to inspect the records myself and select the relevant documents for duplication.

I recognize that the volume of records responsive to this request may be large. I would therefore be interested in receiving documents on a rolling basis, as they become available, rather than waiting for all responsive records to clear the review process. In addition, if all or any part of this request is denied, I request a written statement regarding the reason(s) for the denial. If you determine that some portions of the requested records are exempt from disclosure, I would appreciate receiving all non-exempt portions that can be disclosed.

I look forward to receiving the requested materials. If you have any questions, please contact me at (301) 297-9697 or via e-mail at ntaylor@historyassociates.com.

Sincerely,

A handwritten signature in dark ink, appearing to read "Nik E. Taylor", with a stylized flourish at the end.

Nik Taylor
Historian